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Government of Kerala
1976

Reg. No. KL/TV/*3.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXI] Trivandrum, Friday, 31st December 1976 / 10th Pousha 1898 [No. 744

GOVERNMENT OF KERALA

Public Works (D) Department

DECLARATION

No. 75184/D1/76/PW. *Dated, Trivandrum, 27th December 1976.*

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution, the President has in his Notification No. 2/4/63-Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962) in relation to the acquisition of land for the purpose of the Union in this State.

And whereas under sub-section (4) of Section 19 of the said Act the Government of Kerala have directed that in view of urgency of the case, the provisions of section 5 of the Act shall not apply to the lands specified in the Schedule below:

And whereas the Government are satisfied that the said lands have to be acquired for a public purpose;

The Government of Kerala hereby declare under Section 6 of the Act that the lands specified in the Schedule below and measuring 0.0700 hectares be the same a little more or less, are needed for a public purpose, to wit, for widening N. H. 47 Trichur-Karukutty reach and under Section 7 of the Act direct the Deputy Collector (L. A.) Collectorate, Trichur to take order for

the acquisition of the lands. Further, under sub-section (1) of section 19 of the Act the Government direct that the Collector may take possession of the lands on the expiry of fifteen days from the date of publication of the notice mentioned in sub-section (1) of section 9 of the Act.

A plan of the lands is kept in the office of the District Collector, Collectorate, Trichur and may be inspected at any time during office hours.

ഭരണഘടന 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡത്താൽ നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി, യൂണിയന്റെ ആവശ്യത്തിനായി ഈ സംസ്ഥാനത്ത് ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ചിടത്തോളം 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം കേന്ദ്ര ഗവൺമെന്റിന്റെ പ്രവൃത്തികൾ തന്റെ 31-5-1963-ാം തീയതിയിലെ 2/4/63 Judl. II നമ്പർ പരസ്യപ്രകാരം കേരള ഗവൺമെന്റിനെ, ആ ഗവൺമെന്റിന്റെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കയാലും;

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം കേരള ഗവൺമെന്റ് പ്രസ്തുത സംഗതിയുടെ അടിയന്തരസ്ഥിതി പരിഗണിച്ച്, ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമിക്ക് ബാധകമല്ലെന്ന് നിർദ്ദേശിക്കയാലും;

പ്രസ്തുത ഭൂമി ഒരു പൊതുകാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് ഗവൺമെന്റിന് ബോധ്യപ്പെട്ടിരിക്കുന്നതിനാലും;

കേരള ഗവൺമെന്റ് താഴെ കാണുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും 0.0700 ഹെക്ടർ വിസ്തീർണ്ണമുള്ളതുമായ ഭൂമി, അത് അത്ര തന്നെയോ, അതിൽ അൽപ്പം കുറവോ കൂടുതലോ ആയിരുന്നാലും വേണ്ടതില്ല, ഒരു പൊതുകാര്യത്തിന് അതായത് 47-ാം നമ്പർ നാഷണൽ ഹൈവേ തൃശ്ശൂർ—കറുകുറ്റി റീച്ച് വീതി കൂട്ടുന്നതിന് ആവശ്യമാണെന്ന് ആക്റ്റ് 6-ാം വകുപ്പുപ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സ്വീകരിപ്പാൻ ആക്റ്റ് 7—ാം വകുപ്പു പ്രകാരം ലാന്റ് അക്വിസിഷൻ ഡെപ്യൂട്ടി കളക്ടർ, കളക്റ്ററേറ്റ്, തൃശ്ശൂർ എന്ന ആളോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിഞ്ഞാൽ കളക്റ്റർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നും കൂടി ആക്റ്റ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം ഗവൺമെന്റ് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

സ്ഥലത്തിന്റെ പ്ലാൻ തൃശ്ശൂർ ജില്ലാ കളക്റ്റർ എന്ന ആളുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്. ആഫീസ് സമയത്ത് എപ്പോഴെങ്കിലും അത് പരിശോധിക്കുകയും ചെയ്യാം.

SCHEDULE

District.—Trichur. *Taluk.*—Mukundapuram.

Village.—Nellayi No. 12

(The extent given is approximate)

Sl. No.	*Survey No.*	*Description*	*Extent Hectare*
1	299/1-4	Wet	0.0040
2	308/1-3	,,	0.0101
3	309/1-3	,,	0.0357
4	310/2-4	Dry	0.0202
		Total	0.0700

By order of the Governor,

M. C. RAJARAJA VARMA,
Deputy Secretary to Government.

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GOVERNMENT OF KERALA

Local Administration and Social Welfare (C) Department

NOTIFICATIONS

G. O. (MS) No. 313/76/LA & SWD.

Dated, Trivandrum, 31st December 1976.

I

S. R. O. No. 1321/76.—In exercise of the powers conferred by the proviso to sub-section (1) of section 11 of the Kerala Panchayats Act, 1960 (32 of 1960), the Government of Kerala hereby extend the term of office of the members of all the Panchayats in the State for a further period of six months beginning with effect on and from the first day of January, 1977 and ending with 30th day of June, 1977.

Explanatory Note

(This note does not form part of the notification but is intended to indicate its general purport).

According to Notification S. R. O. No. 683/76 published in the Kerala Gazette Extraordinary No. 378 dated 25th June, 1976 the term of office of members of all the Panchayats in the State is to expire on the 31st day of December, 1976. The Panchayat General Election proposed to be conducted in December 1975 was postponed sine-die. This notification is intended to extend the term of the existing panchayats upto 30th June, 1977.

II

S. R. O. No. 1322/76.—In exercise of the powers conferred by sub-section (3) of section 13 of the Kerala Panchayats Act, 1960 (32 of 1960), the Government of Kerala hereby extend the term of office of the Presidents and members of Administrative Committees appointed for the Panchayats mentioned against items 1 to 119 (both inclusive) of the Schedule below and of the Special Officers appointed for the Panchayats mentioned against items 120 to 123 (both inclusive) of the said schedule for a further period of six months beginning with effect on and from the 1st day of January, 1977 and ending with 30th day of June 1977.

SCHEDULE

1. Udumbanchola
2. Nedumkandam
3. Kuttichal
4. Poovachal
5. Kelakom
6. Kottiyoor
7. Kattappana
8. Kamakshy
9. Sholayar
10. Pudur
11. Agali
12. Yeroor
13. Kulathupuzha
14. Alacode
15. Karulai
16. Karikode
17. Perumpadappa
18. Veliancode
19. Paipad
20. Thrikodithanam
21. Orumanayur
22. Kadappuram
23. Irikkur
24. Malappattam
27. Sultan Battery
28. Noolpuzha
29. Thirupuram
30. Poovar
31. Perayam
32. Thenmala
33. Aryankavu
34. Mannankandam
35. Kuttampuzha
36. Rajakkad
37. Santhampara
38. Bisonvally
39. Chinnakkanal
40. Poonjar
41. Thalanad
42. Valiyakumaramangalam
43. Ponnjar Thekkekara
44. Mookkannur
45. Thuravoor
46. Panancherry
47. Vilvattom
48. Madakkathara
49. Kayanna
50. Koorachundu
51. Thiruvampady

53. Edakkara
54. Vazhikkadavu
55. West Eleri
56. East Eleri
57. Muzhakunnu
58. Thillenkeri
59. Peringalam
60. Kariyad
61. Avannur
62. Killannur
63. Udumbannur
64. Koottickal
65. Vazhathoppu
66. Eloor
67. Vathikudy
68. Manjalloor
69. Thanalur
70. Padinjarethara
71. Kottathara
72. Thariyode
73. Perumkadavila
74. Aryancode
75. Senapathy
76. Koothali
77. Chakkittappara
78. Omassery
79. Mogral Puthur
80. Madhur
81. Erattayar
82. Chittar
83. Aryanad
84. Uzhamalakkal
85. Kanichar
86. Pampakuda
87. Vythiri
88. Pozhuthana
89. Eruvassy
90. Payyavoor
91. Edathala
92. Choornikara
93. Uzhavoor
94. Veliyannur
95. Mariyapuram
96. Vithura
97. Tholicode
98. Koodali
99. Keezhallur
100. Kokkayar
101. Nenmeni
102. Mampad
103. Amarambalam
104. Chengottukavu
105. Kothamangalam
106. Puthenchira
107. Chapparapadavu
108. Amboori
109. Kallikad
110. Vellarada
111. Naripetta
112. Idukki-Kanjikuzhy
113. Vannapuram
114. Kodikulam
115. Karunapuram
116. Pampadumpara
117. Panavoor
118. Anad
119. Rajakumari
120. Thirumaradi
121. Kulanada
122. Ummannoor
123. Kundara

Explanatory Note

(This does not form part of the Notification but is intended to indicate its general purport).

According to Notification S. R. O. No. 684/76 published in the Kerala Gazette Extraordinary No. 378 dated 25th June, 1976 the term of the office of the Presidents and Members of Administrative Committees of 113 Panchayats and the Special Officers for 4 Panchayats has been extended upto 31-12-1976. The Panchayat General Elections proposed to be conducted in December, 1975 was postponed sine-die. This notification is intended to extend the term of the existing Panchayat Administrative Committees in 119 Panchayats and Special Officers in 4 Panchayats for a period of six months beginning with effect on and from the 1st day of January 1977 and ending with 30th June, 1977. This notification is intended to achieve the above object.

By order of the Governor,

K. RAMAKRISHNA PILLAI,
Deputy Secretary to Government.

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GOVERNMENT OF KERALA

Local Administration and Social Welfare 'G' Department

NOTIFICATIONS

G. O. MS. No. 303/76/LA & SWD. *Dated, Trivandrum, 21st December 1976.*

I

S. R. O. No. 1324/76.—In exercise of the powers conferred by section 3 of the Travancore Town and Country Planning Act, 1120 (21 of 1120) the Government of Kerala hereby declare portions of Sy. No. 1/1 of Attuprara Thavalam of Kalkunthal Village in Udumpanchola Taluk and portions of Kaniyanoor-Kanniyelam Tract and Karikode-Kanniyelam Tract in Thodupuzha Taluk comprised within the boundaries specified in the Appendix to this notification and explained by map which is hereinafter called "Map I—Idukki Township Controlled Area" exhibited in the Office of the Town Planner, Idukki and Revenue Divisional Office, Idukki to be a controlled area for the purposes of the said Act.

APPENDIX

1. *North:* Kothapara Thodu, Perinkala Thodu, Line joining Perinkala to Vazhathope Thodu through Sankooripathal, Vazhathope Thodu upto River Periyar, Line joining the culvert across Vazhathope Thodu on Idukki-Neriyamangalam Road to Kuthirakkallu on the eastern side of River Periyar.

2. *East:* Line joining Kuthirakkallu and Vallakayathumala, Line from Vallakkayathumala to Nirmalagiri along the ridge of Alambesioram cutting the stream at Chandhykkuthu, Line joining Nirmalagiri, Idukkimala and Chembakassery on the left bank of River Periyar cutting the Kattappana Road at Aniyankala.

3. *South:* Line of full reservoir level (Idukki) from Chembakassery on the left bank of River Periyar to Kallukattumala on the right bank of River Cheruthoni.

4. *West:* Line joining Kallukattumala and the confluence of Meenmutty Thodu and River Cheruthoni, Meenmutty Thodu, Meenmutty Weir, Malathikanam, Bheemankalaripara, Padmanabhan Thodu, Geetha Thodu, Keezhar.

II

S. R. O. No. 1325/76.—In exercise of the powers conferred by section 13 of the Travancore Town and Country Planning Act, 1120 (21 of 1120), read with rule 3 of the Travancore Town and Country Planning Rules, 1935 the Government of Kerala hereby make the following Order, namely:—

ORDER

1. This order may be called the "Idukki Township Area (Interim Development) Order, 1976".

2. This order applies to the area notified to be a controlled area under section 3 of the Travancore Town and Country Planning Act, 1120 under Notification No. I issued in G.O.Ms. No. 303/76/LA&SWD dated 21-12-1976.

3. The Idukki Township Area Development Authority hereinafter referred to as the "Development Authority" is hereby appointed for the preparation and bringing into force of a scheme for the development of the area and for executing special orders made by Government from time to time. The Development Authority shall consist of:—

1. District Collector, Idukki.
2. Chief Town Planner or his nominee.
3. Executive Engineer (B & R), P.W.D. having jurisdiction over the area.
4. Executive Engineer (PHED) having jurisdiction over the area.
5. Superintending Engineer (Elec.), K.S.E.B. having jurisdiction over the area.
6. Divisional Forest Officer having jurisdiction over the area.

7. Revenue Divisional Officer, Idukki.

8. Superintending Engineer, Dam Circle, K.S.E.B., Idukki.

9. Senior Architect, P.W.D.

10. Town Planner, Idukki.

11. M.L.A., representing the area under the Township.

The District Collector, Idukki shall be the Chairman of the Development Authority. The Town Planner, Idukki shall be the Special Officer for the purpose of this order. The Special Officer shall also be the Convenor of the Development Authority. The Revenue Divisional Officer, Idukki shall be the Treasurer of the Authority.

4. Subject to orders or directions of the Development Authority constituted under Clause 3, the Town Planner, Idukki hereinafter called the Special Officer shall exercise all the powers and duties conferred under section 13 of the Travancore Town and Country Planning Act, 1120 (21 of 1120) and by this order.

5. The Chairman of the Development Authority shall have full access to all the records of the Special Officer and no official correspondence regarding the Development Authority between the Special Officer and the Government shall be conducted except through the Chairman.

6. The Chairman of the Development Authority shall forward to the Government copies of the proceedings of every meeting of the Development Authority.

7. Whenever it appears to the Development Authority that any portion of the controlled area is to be measured, plans prepared and marks and stones fixed, they shall cause a notice to that effect to be published by the Special Officer on the Notice Boards of the Village Offices in the controlled area, the office of the Town Planner, Idukki and the Revenue Development Office, Idukki and at such other prominent places in the said locality. Thereupon it shall be lawful for the Special Officer, his assistants and workmen:

(i) to enter upon and survey and take levels of any kind in such locality;

(ii) to dig or bore into the sub-soil;

(iii) to plant stones and make the necessary markings for the layout of roads, pathways, ditches etc.

(iv) where otherwise the survey cannot be completed and the level taken and the lines marked, to cut down and clear away any part of any standing crop, fence, or jungle, after an estimate of damage, likely to be caused has been prepared in the presence

of the local people provided that no person shall enter upon any building or upon any enclosed court or garden attached to a dwelling house, unless the consent of the occupier thereof has been obtained or without previously giving such occupier at least seven days' notice in writing of his intention to do so.

8. Notice required to be given under clause 7 shall be served or sent in the following manner:—

(i) by giving or tendering the notice to the occupier of the dwelling house; or

(ii) if the occupier is not found, by affixing the same in some conspicuous part of such dwelling house; or

(iii) by sending the same to the occupier by registered post.

9. The Special Officer may permit the interim development of land including building operations or rebuilding operations and any use of the land or any building thereupon for a purpose which is different from the purpose for which the land or buildings was or were last being used within the area abovementioned pending the preparations of a town and country planning scheme subject to the conditions contained in this order.

10. No person shall within the abovesaid area erect or re-erect any building or proceed with any building or work or remove, or pull down alter or use for a purpose which is different from that for which it was being used, any building or part of a building or remove any earth, stone or material unless such person has applied for and obtained the necessary permission from the Special Officer.

11. On receipt of such application, the Special Officer shall furnish the applicant with a written acknowledgement, of its receipt and after enquiry may either grant or refuse such permission or grant it subject to such conditions as are in accordance with the terms of this order. But if no decision is communicated to the applicant within two months or such longer period as the applicant may agree to in writing from the date of such acknowledgement, the applicant shall be deemed to have been granted such permission.

12. If in the opinion of the Special Officer any person contravenes the provisions contained in clause 10 or clause 11 he may after making such enquiry as he deems necessary by notice in writing, direct such persons to stop any work in progress.

13. Any person who desires to apply for permission under this order shall apply in writing to the Special Officer for permission and shall furnish with the application, a plan in duplicate of the proposed building or other work and of the site and such other particulars as the Special Officer may require.

14. The Special Officer shall inform the applicant in writing that his application is granted, or refused, as the case may be and if the application is granted shall state in writing the terms and conditions which he may impose if the application is refused he shall state the reasons therefor.

15. The development of lands and building operations under this order shall comply with all such terms and conditions not inconsistent with this order as the Special Officer may reasonably impose.

16. Any applicant aggrieved by an order of the Special Officer may, within two weeks from the date on which the order is communicated to him appeal to the Government. The Government may either *suo-motu* or on receipt of such appeal call for the records of the case from the Special Officer and pass such orders as they deem fit after giving reasonable opportunity to the parties affected. The order issued by Government shall be final.

17. The Special Officer shall refuse an application under this order for interim development on any of the following grounds:—

(i) that development would tend to the use of the land or the building for a purpose which is of a noxious or otherwise offensive character; or

(ii) that the land for which application for development is made ought to be reserved for a public open space under a scheme that may be promulgated; or

(iii) that the land may have to be reserved for a public purpose or for the execution of works under the proposed scheme; or

(iv) that it is proposed to include the site of the new building or a part thereof in an area to be reserved by the scheme for a purpose, the carrying out of which would in the future necessitate the removal or alteration of the new building; or

(v) that the building or any part thereof is intended to be used as a factory, a godown or a cinema hall or any other institution and that such use would injuriously affect the health, convenience or amenities of the inhabitants of the locality or to the Government institutions or such use is likely to spread infectious disease or epidemics;

(vi) that the development is not likely to be in conformity with any of the provisions of the scheme under preparation.

18. In considering the applications under this order, the Special Officer shall consult the Development Authority before the application is granted or refused.

19. The Government may in appropriate cases and after such enquiry as they deem fit to make, allow compensation to those who in their opinion have suffered unnecessary loss or expense in the enforcement of any of the restrictions imposed by this order.

20. This order shall cease to be in force in the event of the failure to publish a scheme before 31-12-1977.

By order of the Governor,

N. GOPALAKRISHNAN NAIR,
Special Secretary.

Explanatory Note

This is not part of the notification but is intended to indictae its general purport.

The District Headquarters of Idukki has been shifted to Painavu, Idukki in June, 1976. Hence the creation of the Idukki Development Authority has become an immediate necessity for the planned development of the City. This notification is to achieve the above object.

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GOVERNMENT OF KERALA

Law (Legislation C) Department

NOTIFICATION

No. 21921/C2/76/Law. *Dated, Trivandrum, 31st December, 1976/ 10th Pousha, 1898.*

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 31st day of December, 1976.

By order of the Governor,
K. Viswanathan Nair,
Additional Law Secretary.

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33/4900/MC.

ACT 48 OF 1976

THE KERALA MUNICIPAL COUNCILS (EXTENSION OF TERM OF OFFICE OF COUNCILLORS) ACT, 1976

An Act to provide for the further extension of the term of office of the councillors of municipalities other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities.

Preamble.—WHEREAS it is expedient to provide for the further extension of the term of office of the councillors of municipalities other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities;

BE it enacted in the Twenty-seventh Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Kerala Municipal Councils (Extension of Term of Office of Councillors) Act, 1976.

2. *Extension of term of office of municipal councillors.*—Notwithstanding anything contained in the Kerala Municipalities Act, 1960 (14 of 1961), the term of office of the councillors of all the municipalities constituted under the said Act, other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities, which expires at noon on the 31st day of December, 1976, shall extend upto the 1st day of November, 1977.

Government of Kerala
1976

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Agriculture (Minor Irrigation) Department

NOTIFICATION

No. 85927/MI-2/76/AD. *Dated, Trivandrum, 27th December 1976*

S. R. O. No. 1323/76.—The following draft of a further amendment to the Minor Irrigation Rules, 1957, which the Government of Kerala propose to make in exercise of the powers conferred by section 42 of the Travancore-Cochin Irrigation Act, 1956 (VII of 1956), is hereby published for general information, as required by sub-section (1) of the said section;

Notice is hereby given that the said draft will be taken into consideration on or after 30th January 1977. Any objections or suggestions that may be received from any person likely to be affected thereby in respect of the said draft before the date specified above will be considered by the Government;

Objections or suggestions, if any, shall be addressed to the Additional Secretary, Agriculture (Minor Irrigation) Department, Government Secretariat, Trivandrum-695001.

DRAFT AMENDMENT

In the said Rules, in rule 11, for the letters and figures "Rs. 50,000", the letters and figures "Rs. 1,00,000" shall be substituted.

By order of the Governor,

K. V. VIDYADHARAN,
Additional Secretary.

33/4898/MC.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

As per the existing Rule 11 of the Minor Irrigation Rules, 1957 the District Collector is competent to accord administrative sanction for all minor irrigation works costing Rs. 50,000 and below for which no objections have been received and the majority of the proprietors agree to the work. As a measure to speed up the implementation of the Minor Irrigation programme consequent to the new scheme of People's Participation, Government propose to enhance the powers of the Collectors in this regard. The preliminary notification is published as required in Section 42 of the Travancore-Cochin Irrigation Act, 1956.

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